UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,828	02/20/2002	Victor V. Gogolak	QED0007-CIP	7476

28694   7590   07/06/2006

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EXAMINER
RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _2/20/2002_.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-17_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-17_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _18 July 2002_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-17 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable

over US Patent Number 6,507,829 issued to Jon Richards et al ("Richards") and

US Patent Application Publication Number 2002/0010595) issued to Thomas L.

Kapp ("Kapp").

As per claim 1 Richards teaches:

creating a ... syntax (col.9, lines 10-15) ;

detecting at least one instance of ... content from a drug information source (col.4, lines

40-45,57-63);

and parsing ... elements from at least one identified instance of ....content into the ...

rule syntax, retaining associations between those drug rule elements that form a ...,

whereby a subset of the drug information source is processed into syntax-parsed ...

(col.5, lines 35-40, col.6, lines 20-29) .

   Richards does not explicitly teach drug rule. Kapp does teach drug rule (paragraph

13, lines 1-5) to provide access current information about patient specific drugs (parag.

11, lines 1-5). It would have been obvious to one of ordinary skill in the art at the time of

the invention to modify Richard with a drug rule to provide access current information

about patient specific drugs (parag. 11, lines 1-5).

As per claim 2, same as claim arguments above and Richards teaches:

wherein drug source information comprises at least one of: drug label information;

and drug literature information (col.2, lines 10-12).

As per claim 3, same as claim arguments above and Richards teaches:

wherein the drug rule syntax comprises drug rule syntax elements, each drug rule

syntax element corresponding to a subset of a logical proposition (col.6, lines 20-25).

As per claim 13 Richards teaches:

creating a ... syntax (col.9, lines 10-15) ;

extracting metadata from the drug information source (col. 4, lines 40-45, 57-60 and

col.5, lines 35-40 and col.6, lines 20-30);

extracting verbatim adverse event data from the drug information source (col. 4, lines

40-45, 57-60 and col.5, lines 35-40 and col.6, lines 20-30);

identifying at least one instance of drug rule content from the drug information

source(col.4, lines 40-45,57-63);

; parsing ... elements from at least one identified instance of ... e content into

the... syntax, retaining associations between those ... elements (.col.5, lines 35-40,

col.6, lines 20-29).

Richard does not explicitly teach drug rules, mapping terms from verbatim data to a

reference source and wherein the drug described by the drug information source is

characterized by the set comprising: the syntax-parsed drug rule elements, the mapped

terms, and the metadata. Kapp does teach drug rules(paragraph 13, lines 1-5), mapping

terms from verbatim data to a reference source (Figure 12, medication name, adverse

events) and wherein the drug described by the drug information source is characterized

by the set comprising: the syntax-parsed drug rule elements, the mapped terms, and

the metadata (col.5, lines 35-40, col.6, lines 20-29) to provide access current

information about patient specific drugs (parag. 11, lines 1-5). It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Richard

with drug rules, mapping terms from verbatim data to a reference source and wherein

the drug described by the drug information source is characterized by the set

comprising: the syntax-parsed drug rule elements, the mapped terms, and the metadata

to provide access current information about patient specific drugs (parag. 11, lines 1-5).

As per claim 14, same as claim arguments above and Richard teaches:

wherein: the reference source comprises MedDRA (col.2, lines 10-12).

As per claim 15, same as claim arguments above and Kapp teaches:

wherein: the reference source is selectable by a user (Fig. 2 ref.no. 102-106).

As per claim 16, same as claim arguments above and Kapp teaches:

wherein: the mapping between a reference source term and the corresponding verbatim

identifies the pedigree of each reference source term-verbatim pair (Figure 12,

medication name, adverse events).

As per claim 17, same as claim arguments above and Kapp teaches:

associate remaining drug information source data with the drug, wherein the drug

described by the drug information source is characterized by the set comprising: the

syntax-parsed drug rule elements, the mapped terms, the metadata, and the remaining

drug information source data (paragraph 13 and fig. 12) .

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 4-12 are rejected under 35 U.S.C. 102(b) as being anticipated by US

Patent Number 6,507,829 issued to Jon Richards et al ("Richards").

As per claim 4 Richards anticipates:

A computer-assisted method of processing a drug information source, the drug

information source comprising at least one instance of adverse event content, each

instance of adverse event content comprising at least one adverse event

characterization (abstract) , the method comprising:

detecting at least one instance of adverse event content from a drug information source

(col.4, lines 40-45, 57-60); and parsing at least one adverse event characterization from

at least one detected instance of adverse event content (col.5, lines 35-40 and col.6,

lines 20-29) , whereby a subset of the drug information source is processed into at least

one parsed adverse event characterization (col.6, lines 20-30).

Richards teaches a computer-assisted method of processing a drug information

source, the drug information source comprising at least one instance of adverse event

content, each instance of adverse event content comprising at least one adverse event

characterization, the method comprising detecting at least one instance of adverse

event content from a drug information source and parsing at least one adverse event

characterization from at least one detected instance of adverse event content, whereby

a subset of the drug information source is processed into at least one parsed adverse

event characterization (abstract, col.5, lines 35-6 and col.6, lines 20-30).

As per claim 5, same as claim arguments above and Richards anticipates:

validating at least one parsed adverse event characterization (col. 9, lines 50-56).

As per claim 6, same as claim arguments above and Richards anticipates:

wherein: adverse event content comprises text content, and each adverse event

characterization comprises the set of reaction name and frequency of occurrence

characterization (col.4, lines 40-45 and col.6, lines 20-27).

As per claim 7 same as claim arguments above and Richards anticipates:

 wherein: adverse event content comprises text content, and at least one adverse event

characterization comprises the set of reaction name, lower limit frequency of

occurrence, and higher limit frequency of occurrence(col.4, lines 40-45 and col.6, lines

20-27).

As per claim 8, same as claim arguments above and Richards anticipates:

wherein: adverse event content comprises table content, and at least one adverse event

characterization comprises the set of reaction name, and nominal frequency of

occurrence (col.6, lines 20-27).

As per claim 9, same as claim arguments above and Richards anticipates:

wherein: adverse event content comprises table content, and at least one adverse event

characterization comprises the set of reaction name, lower limit frequency of

occurrence, and higher limit frequency of occurrence (col.6, lines 20-27).

As per claim 10, same as claim arguments above and Richards anticipates:

wherein at least one instance of adverse event content comprises an implicit adverse

event characterization, and the method further comprises deriving an adverse event

characterization from the implicit adverse characterization (col.6, lies 36-40).

As per claim 11, same as claim arguments above and Richards anticipates:

wherein: the derived adverse event characterization comprises the set of reaction

name, and nominal frequency of occurrence (col.6, lines 20-27).

As per claim 12, same as claim arguments above and Richards anticipates:

wherein: the derived adverse event characterization comprises the set of reaction

name, lower limit frequency of occurrence, and higher limit frequency of

occurrence(col.6, lines 20-27).

Contact Information

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Susan Rayyan whose telephone number is (571) 272-

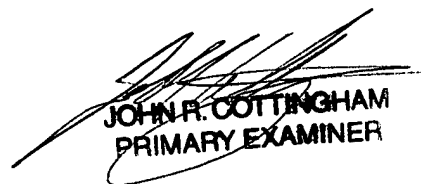1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone

number for the organization where this application or proceeding is assigned is

703-872-9306.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Rayyan

June 25, 2006

JOHN R. COTTINGHAM
PRIMARY EXAMINER